

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

E.I. DU PONT DE NEMOURS AND)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 11-773 (SLR) (CJB)
)	
HERAEUS PRECIOUS METALS NORTH)	
AMERICA CONSHOHOCKEN LLC,)	
)	
Defendant.)	

JOINT MOTION TO DISMISS

WHEREAS, Plaintiff E.I. DuPont de Nemours and Company (“Plaintiff”) and Defendant Heraeus Precious Metals North America Conshohocken LLC (“Defendant”) have settled Plaintiff’s claims for relief against Defendant and Defendant’s counterclaims for relief against Plaintiff asserted in this case.

NOW, THEREFORE, Plaintiff and Defendant, through their attorneys of record, request this Court to dismiss Plaintiff’s claims for relief against Defendant with prejudice and to dismiss Defendant’s counterclaims for relief against Plaintiff without prejudice as moot and with all attorneys’ fees, costs of court and expenses borne by the party incurring same and to enter an order in the form attached hereto effectuating the same.

POTTER ANDERSON & CORROON LLP

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Bindu A. Palapura

Richard L. Horwitz (#2246)
David E. Moore (#3983)
Bindu A. Palapura (#5370)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com
bpalapura@potteranderson.com

Attorneys for Plaintiff

OF COUNSEL:

Sean G. Gallagher, Esquire
Adam K. Mortara, Esquire
Michael J. Valaik, Esquire
Matthew W. Brewer, Esquire
Ashe L.I. Spencer, Esquire
BARTLIT BECK HERMAN PALENCHAR
& SCOTT LLP
54 West Hubbard Street, Suite 300
Chicago, IL 60654

October 28, 2013

7731466

/s/ Paul Saindon

Jack B. Blumenfeld (#1014)
Paul Saindon (#5110)
Jeremy A. Tigan (#5239)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
psaindon@mnat.com
jtigan@mnat.com

Attorneys for Defendant

OF COUNSEL:

Maximilian A. Grant
Matthew J. Moore
Elizabeth M. Roesel
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
(202) 637-2200

Chi Cheung
LATHAM & WATKINS LLP
885 3rd Ave
New York, NY 10022
(212) 906-1200